IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 1366 of 2005
In
SPECIAL CIVIL APPLICATION No. 4754 of 2002

For Approval and Signature:

HONOURABLE MR.JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE M.C.PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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ISRAR HUSAIN SARDAR HUSAIN - Appellant(s)

Versus

O N G C LTD & 1 - Respondent(s)

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Appearance :
MR BS MISHRA for Appellant(s) : 1,
MR RAJNI H MEHTA for Respondent(s) : 1, 2
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CORAM : HONOURABLE MR.JUSTICE B.J.SHETHNA
and
HONOURABLE MR.JUSTICE M.C.PATEL

Date : 14/10/2005

ORAL JUDGMENT (Per : HONOURABLE MR.JUSTICE B.J.SHETHNA)

Admit. Mr. Rajni Mehta waives service for the respondents. At the joint request of the learned counsel for the parties, this matter is heard and disposed of

today by this order.

2. After arguing the matter for some time, learned counsel Shri Mishra for the appellant submitted that he would not like to press this appeal on merits. The only request made by Mr. Mishra was to delete the part of the order passed by the learned Single Judge of this court awarding special cost of Rs.2,500/- to be paid to the respondents – ONGC. Learned counsel Shri Mehta appearing for the respondents – ONGC has no objection if the appeal is dismissed as not pressed. In view of the above, this appeal is permitted to be withdrawn on merits and the part of the order passed by the learned Single Judge awarding cost of Rs.2,500/- is hereby set aside. If the respondent – ONGC has deducted the amount of Rs.2,500/- from the salary of the appellant, then the same be immediately paid back to the appellant by the ONGC. Accordingly, this appeal is disposed of.

(B.J. Shethna, J.)

(M.C. Patel, J.)

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